

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

MEDICAL PLAZA, LLC

PLAINTIFF

V.

CIVIL ACTION NO. 1:07cv98-LTS-RHW

UNITED STATES FIDELITY AND GUARANTY COMPANY  
AND JOHN AND JANE DOES A, B, C, D, E, F, G, AND H

DEFENDANTS

**ORDER**

In accordance with a Memorandum Opinion filed contemporaneously herewith, **IT IS ORDERED:**

USF&G's [85] Motion for Partial Summary Judgment is **DENIED**, the Court finding that the Undamaged Portion of the Building provision extends coverage to the loss and that at this time there is a genuine issue of material fact on the issue of punitive damages;

Plaintiff's [91] Motion for Partial Summary Judgment is **DENIED**, the Court finding that damages are limited to the loss in value of the undamaged portion of the building;

Plaintiff's [90] Motion for Attorney Fees and Expenses Pursuant to Fed. R. Civ. P. 37(c)(2) is **DENIED**.

**SO ORDERED** this the 16<sup>th</sup> day of September, 2008.

s/ L. T. Senter, Jr.  
L. T. SENTER, JR.  
SENIOR JUDGE